

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EMILY BRUNNER and CAITLIN
TUROWSKI, individually and on behalf of all
persons similarly situated, as Class/Collective
representatives,

Plaintiffs,

v.

JIMMY JOHN’S, LLC,
JIMMY JOHN’S ENTERPRISES, LLC,
JS FORT GROUP, INC.,
JJ SEVERSON AFFILIATES FIVE, INC.,
JJ SEVERSON AFFILIATES, INC.,
JIMMY JOHN’S FRANCHISE, LLC,
JEFFREY S. FORT,
TODD SEVERSON, and
BROOKE SEVERSON,

Defendants.

Case No. 14-CV-05509

Hon. Judge Kocoras

Magistrate Judge Cole

ALEXANDER WHITON, individually and on
behalf of all persons similarly situated, as
Class/Collective representative,

Plaintiff,

v.

JIMMY JOHN’S, LLC, JIMMY JOHN’S
ENTERPRISES, LLC, JJ SEVERSON
AFFILIATES FIVE, INC., JJ SEVERSON
AFFILIATES, INC., JIMMY JOHN’S
FRANCHISE, LLC, TODD SEVERSON, and
BROOKE SEVERSON,

Defendants.

Case No: 15-CV-01681

SCOTT WATSON, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

JIMMY JOHN'S, LLC, JIMMY JOHN'S
FRANCHISE, LLC, JIMMY JOHN'S
ENTERPRISES, LLC,

Defendants.

Case No. 15-CV-6010

**JOINT MOTION FOR ENTRY OF STIPULATION AND ORDER REGARDING
PROCEDURE FOR DISSEMINATION OF COLLECTIVE ACTION NOTICE**

Plaintiffs Brunner, Whiton, and Watson (collectively "Plaintiffs") and Defendants Jimmy John's, LLC, Jimmy John's Enterprises, LLC, and Jimmy John's Franchise, LLC (collectively, "Jimmy John's"), jointly move the Court for entry of the proposed Stipulation and Order Regarding Procedure for Dissemination of Notice to Members of Putative Collective Action attached hereto as Exhibit A. In support of this motion, the parties state as follows:

1. On January 14, 2016, the Court granted Jimmy John's Second Renewed Motion for Reassignment and Consolidation and stayed all notice proceedings "pending this Court's resolution of the proper notice and consent forms for the newly consolidated action." (ECF No. 222 at 9.)

2. After the parties engaged in extensive meet and confer efforts regarding the form and method of notice, Jimmy John's filed a Motion for Approval of Harmonized Form and Method of Notice on January 21, 2016 (ECF No. 225). On January 26, 2016, the Court held a hearing on Jimmy John's motion, and the Court subsequently issued an Order entering and continuing the motion until February 9, 2016 to permit the parties additional time to negotiate the form of notice and distribution method. (ECF No. 233.)

3. On February 5, 2016, Plaintiffs filed a Submission Regarding Notice with the Court in anticipation of the status conference scheduled for February 9, 2016. (ECF No. 236.) The parties have continued to meet and confer regarding the procedure for disseminating notice, and as a result of these continued negotiations, the parties have resolved many issues in dispute regarding the form and distribution of notice.

4. The parties have agreed to the terms of the proposed Stipulation and Order Regarding Procedure for Dissemination of Notice to Members of Putative Collective Action attached hereto as Exhibit A (“Stipulation”).

5. The parties have further agreed on the Notice form in the attached Exhibit B for approval of the Court, to be distributed to putative collective action members by first class mail and/or email in accordance with the terms of the Stipulation.

6. The parties have also agreed on the form and content of the case website that Plaintiffs may maintain in order for putative collective action members to access information about this matter and through which putative collective action members may submit consents to join the collective action, as provided in Paragraph 1 of the Stipulation. The agreed upon form and content of the case website is attached hereto as Exhibit C.

WHEREFORE, Plaintiffs and Defendants Jimmy John’s, LLC, Jimmy John’s Enterprises, LLC, and Jimmy John’s Franchise, LLC, respectfully request that the Court grant this motion and enter the proposed stipulation.

DATED: February 9, 2016

Respectfully submitted,

DEFENDANTS JIMMY JOHN'S, LLC, JIMMY
JOHN'S ENTERPRISES, LLC, AND JIMMY
JOHN'S FRANCHISE, LLC

PLAINTIFFS

By their attorneys,

By their attorneys,

/s/ Gerald L. Maatman, Jr.

Gerald L. Maatman, Jr.
Matthew J. Gagnon
Christina M. Janice
Peter J. Wozniak
Jason J. Englund
SEYFARTH SHAW LLP
131 S. Dearborn Street, Suite 2400
Chicago, IL 60603

*Attorneys For Defendants Jimmy John's, LLC,
Jimmy John's Enterprises, LLC, and Jimmy
John's Franchise, LLC*

/s/ Seth R. Lesser

Seth R. Lesser
Fran L. Rudich
KLAFTER OLSEN & LESSER LLP
Two International Drive, Suite 350
Rye Brook, NY 10573
914-934-9200
914-934-9220 (fax)
slesser@klafterolsen.com
fran@klafterolsen.com

Kathleen Currie Chavez
Kevin Paul Noll
Peter Lawrence Currie
Robert M. Foote
FOOTE, MIELKE, CHAVEZ & O'NIEL,
LLC
10 West State St., Suite #200
Geneva, IL 60134

Justin M. Swartz
Michael N. Litrownik
Outten & Golden LLP
3 Park Avenue, 29th Floor
New York, NY 10016
T. (212) 245-1000
F. (646) 509-2060
JMS@outtengolden.com
mlitrownik@outtengolden.com

Alan L. Quiles
Gregg I. Shavitz
SHAVITZ LAW GROUP, P.A.
1515 S. Federal Highway
Suite 404
Boca Raton, FL 33432
561-47-8888
561-447-8831 (fax)
aquiles@shavitzlaw.com
gshavitz@shavitzlaw.com

MYRON M. CHERRY & ASSOCIATES,
LLC

Myron M. Cherry
30 North LaSalle Street, Suite 2300
Chicago, IL 60602
Tel: (630) 232-7450

Douglas M. Werman
Maureen Ann Salas
WERMAN SALAS P.C.
77 West Washington
Suite 1402
Chicago, IL 60602
312-419-1008
312-419-1025 (fax)
dwerman@flsalaw.com
msalas@flsalaw.com

Drew Legando
Jack Landskroner
LANDSKRONER GRIECO MERRIMAN
LLC
1360 West 9th Street, Suite 200
Cleveland, Ohio 44113
T. (216) 522-900
F. (216) 522-9007
drew@lgmlegal.com
jack@lgmlegal.com

*Attorneys for Plaintiffs Brunner, Whiton,
and Watson Plaintiffs and the Putative
Class and Collective Action*

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of February, 2016, I electronically filed the foregoing **JOINT MOTION FOR ENTRY OF STIPULATION AND ORDER REGARDING PROCEDURE FOR DISSEMINATION OF COLLECTIVE ACTION NOTICE** with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record, including the following:

Kathleen Currie Chavez
Kevin Paul Noll
Peter Lawrence Currie
Robert M. Foote
Foote, Mielke, Chavez & O’Niel, LLC
10 West State St., Suite #200
Geneva, IL 60134

Mary-Christine Sungaila
Snell & Wilmer LLP
600 Anton Blvd., Suite 1400
Costa Mesa, CA 92626
Myron Milton Cherry
Jacie C. Zolna
Myron M. Cherry & Associates
30 North LaSalle Street
Suite 2300
Chicago, IL 60602
(312) 372-2100

Drew Legando
Jack Landskroner
Landskroner Grieco Merriman LLC
1360 West 9th Street, Suite 200
Cleveland, Ohio 44113
T. (216) 522-900
F. (216) 522-9007
drew@lgmlegal.com
jack@lgmlegal.com

Andrew Kopon, Jr.
Colette Lynn Kopon
Eleonora Paloma Khazanova
Kopon Airdo, LLC
233 S. Wacker Drive
Suite 4450
Chicago, IL 60606

Matthew Scott Disbrow
Honigman Miller Schwartz and Cohn LLP
2290 First National Building
Detroit, MI 48226

Anand C. Mathew
Honigman Miller Schwartz and Cohn LLP
One South Wacker Dr., 28th Floor
Chicago, IL 60606

Justin M. Swartz
Michael N. Litrownik
Outten & Golden LLP
3 Park Avenue, 29th Floor
New York, NY 10016
T. (212) 245-1000
F. (646) 509-2060
JMS@outtengolden.com
mlitrownik@outtengolden.com

Alan L. Quiles
Gregg I. Shavitz
Shavitz Law Group, P.A.
1515 S. Federal Highway
Suite 404
Boca Raton, FL 33432
561-47-8888
561-447-8831 (fax)
aquiles@shavitzlaw.com
gshavitz@shavitzlaw.com

Douglas M. Werman
Maureen Ann Salas
Werman Salas P.C.
77 West Washington
Suite 1402
Chicago, IL 60602
312-419-1008
312-419-1025 (fax)
dwerman@flsalaw.com
msalas@flsalaw.com

Seth R. Lesser
Fran L. Rudich
Klafter Olsen & Lesser LLP
Two International Drive, Suite 350
Rye Brook, NY 10573
914-934-9200
914-934-9220 (fax)
slesser@klafterolsen.com
fran@klafterolsen.com

/s/ Gerald L. Maatman, Jr.
Gerald L. Maatman, Jr.